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March 28, 2012

Honorable Carol B. Amon, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**RE: United States. v. Badalamenti, et.al
Cr. No. 12-050 (S-2)(CBA)**

Dear Judge Amon,

On November 21, 2011, at approximately 6:00 p.m., Anthony Graziano was arrested for the above listed case at his residence, 40 Arbutus Way, Staten Island, New York 10312, by Federal Drug Enforcement Agents. At that time, Mr. Graziano was on direct home confinement under the supervision of the Bureau of Prisons and the Brooklyn Metropolitan Detention Center. Immediately after his arrest, Mr. Graziano's wife contacted the staff of the Brooklyn House explaining that Mr. Graziano was arrested at approximately 6:00 p.m. by Federal Drug Enforcement Agents at his assigned home detention residence. At 9:00 p.m. that evening, Robyn Causey, Facility Director of the Brooklyn House, contacted the Drug Enforcement Agency Headquarters at phone number 212-337-3900 and spoke to Duty Officer Ken, who confirmed that Anthony Graziano was in fact in federal custody at the Drug Enforcement Agency Headquarters, located at 99 10th Avenue, New York, New York.

Mr. Graziano was thereafter placed on escape status by the Metropolitan Detention Center and on November 22, 2011, Mr. Graziano was administratively charged with Escape. On December 2, 2011, the Bureau of Prisons sustained the charge of escape and revoked Mr. Graziano's good time credit. His original max out date was January 30, 2012, which has currently been pushed back to August 3, 2012 pending his appeal.

The issue that is problematic to defense counsel is that the process of appeal for this administrative Bureau of Prisons decision is proceeding slowly and during this period of uncertainty, my client cannot request a bail hearing because he is currently detained on his prior sentence until August 3, 2012. Also, my client, who is 71 years old, is unable to calculate the potential guidelines offer that is being discussed with the government because we currently have no way of determining when his current jail time credit begins.

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The guidance that I seek from the Court is to allow Mr. Graziano to have a hearing before your Honor or a Duty Magistrate with Bureau of Prisons Legal Counsel and the Government to determine if Mr. Graziano actually escaped from home detention and to determine if Mr. Graziano is currently detained in the matter before this court or is still serving a prior prison sentence.

Thank you in advance for your consideration in this matter. Should you have any questions or concerns, please do not hesitate to contact my office.

Respectfully Submitted,

/PVP/

Patrick V. Parrotta, Esq.